

(Emphasis added). According to the cited portion of Rule 475, if the claims are directed only to a "product" and "a process specially adapted for the manufacture of said product", the Patent Office must, not may, treat the application as having unity invention. The Patent Office has no discretion in this matter, since the Rule specifically states that if the national stage application satisfies one of the conditions in Rule 475(b), the "national stage application ... will be considered to have unity of invention."

In this application, Applicants submit that Rule 475(b)(1) is satisfied. The claims in this application are directed only to either a sensor element or a method of manufacturing a sensor element. Moreover, the claimed method are "specially adapted" for the manufacture of the claimed sensor element because the claimed method inherently produces the claimed sensor element, with the technical relationship of the solid electrolyte foil being present between these two sets of claims. See MPEP § 1893.01. Accordingly, withdrawal of this restriction, and examination of all of claims 24-47, are respectfully requested.

Respectfully submitted,

Dated: 2/24/03

By: By: 1902 agent (Reg. No. 41,174)
Richard L. Mayer
Richard L. Mayer
Reg. No. 22,490

KENYON & KENYON
One Broadway
New York, NY 10004
(212) 425-7200